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Licensee.

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WHEREAS, Board staff attempted to set up an informal meeting with the Licensee to discuss the complaint received. The Licensee did not contact Board staff and did not respond to the Board's attempts to contact him; and

WHEREAS, upon presentation to the Board of this investigative matter, the Board issued an order for a Letter of Reprimand with Remediation to the Licensee to resolve the complaint. As part of the proposed disposition, the Licensee was to complete learning modules addressing:

- A. Professional Accountability & Legal Liability for Nurses;
- B. Righting a Wrong: Ethics and Professionalism in Nursing; and

WHEREAS, an Agreed Upon Disposition document was sent to the Licensee at his last known address. The Board's legal counsel had been in contact with the Licensee who indicated he agreed to the disposition of a Letter of Reprimand with Remediation; and

WHEREAS, after being presented the documentation to resolve the matter, the Licensee did not return any documentation to the Board and discontinued any further communication with the Board; and

WHEREAS, Board staff reported the Licensee's noncompliance with the investigative process to the Board for further action at its meeting on June 29, 2017; and

WHEREAS, based upon the affidavit of Francie Miller and the above stated conduct, the Board has concluded that Licensee's actions constitute unprofessional conduct and require emergency action, in that Licensee's actions may endanger the health and safety of those who are or will be entrusted to his care in the future; and

WHEREAS, the Board, has a statutory obligation to protect the health, safety and welfare set forth in SDCL §36-9, including the protection of the public from unsafe nursing practices and practitioners.

NOW THEREFORE IT IS HEREBY ORDERED:

1. That the Board has jurisdiction of the Licensee and the subject matter of this Order.

2. That based on the above, the Board specifically finds that the actions of the Licensee endanger the public health, safety and welfare, and imperatively require emergency action in that Licensee may endanger the health and safety of those persons who are or will be entrusted to his care in the future and that these are matters of a nature that would constitute further grounds for discipline of his license to practice nursing under SDCL § 36-9-49 (5), (7) and (10).

3. Based upon these findings, Licensee's license to practice nursing in South Dakota is hereby summarily suspended. Licensee may petition according to SDCL § 36-9-57 for reinstatement of his license at any time for "good cause."


4. Licensee is hereby notified that any practice of or holding himself out as a registered nurse during the terms of this Order for Summary Suspension is a violation of SDCL § 36-9-68 (5).

5. This action is reportable discipline and will be published in the Board's newsletter, posted on its website, and reported into the National Practitioner Data Bank (NPDB) as required by law.

The South Board of Nursing met on the 29th day of June, 2017, and approved this Order of Summary Suspension by a vote of 10-0, and issues its Order for Summary Suspension consistent herein as follows:

IT IS HEREBY ORDERED that the above is adopted as an Order of the South Dakota Board of Nursing this 19th day of July, 2017.

SOUTH DAKOTA BOARD OF NURSING


Gloria Damgaard, RN, MS
Executive Director

NOTICE OF HEARING

The South Dakota Board of Nursing ("Board") pursuant to SDCL §§ 1-26-16, 1-26-27, and 1-26-29, hereby provides this Notice of Hearing to Keith A. Deutscher, License No. R023070 ("Licensee") as follows:


1. Hearing on the Order of Summary Suspension will take place before the Board on October 23, 2017, at 11:15 A.m. at the office of the South Dakota Board of Nursing, 4305 S. Louise Avenue, Suite 201, Sioux Falls, South Dakota.
2. This matter is an adversarial proceeding and Licensee has the right to be present at the hearing and to be represented by an attorney. These due process rights will be forfeited if they are not exercised at the hearing.
3. The hearing will address the Board's assertion, as set forth in its Summary Suspension, that the Licensee, by his conduct, violated SDCL § 36-9-49 (5), (7) and (10).
4. At the hearing, the Board will determine whether the Licensee's license shall be suspended, revoked or subject to other disciplinary action as determined by the evidence presented.

5. Licensee has a right to request that the agency use the Office of Hearing Examiners for this proceeding by giving notice of the request to the Board no later than ten (10) days after the service of this Notice of Hearing on Order for Summary Suspension.

6. A decision issued by the Board after the hearing may be appealed to the circuit court and to the state Supreme Court as provided by law.

Dated this 19th day of July, 2017.

SOUTH DAKOTA BOARD OF NURSING


Gloria Damgaard, RN, MS
Executive Director

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Licensee. _____ :

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5. I received additional information advising that the Licensee had previously been counseled and had disciplinary warnings in regard to his failure to assess residents, failure to provide direction to the certified nurse aides, and failure to report to the oncoming charge nurse.

6. I attempted to set up an informal meeting with the Licensee to discuss the complaint received. The Licensee did not contact Board staff and did not respond to my attempts to contact him.

7. Upon presentation to the Board of this investigative matter, the Board issued an order for a Letter of Reprimand with Remediation to the Licensee to resolve the complaint. As part of the proposed disposition, the Licensee was to complete learning modules addressing:

A. Professional Accountability & Legal Liability for Nurses: and

B. Righting a Wrong: Ethics and Professionalism in Nursing.

8. An Agreed Upon Disposition document was sent to the Licensee at his last known address. The Board's legal counsel had been in contact with the Licensee who indicated he agreed to the disposition of a Letter of Reprimand with Remediation.

9. After being presented the documentation to resolve the matter, the Licensee did not return any documentation to the Board and discontinued any further communication with the Board.

10. I reported the Licensee's noncompliance with the investigative process to the Board for further action at its meeting on June 29, 2017.

11. Based upon the above, I conclude that the public health, safety, and welfare imperatively require emergency action in that Licensee's actions constitute unprofessional

Affidavit of Francie Miller
Licensee: Keith A. Deutscher, RN

conduct that may endanger the health and safety of persons entrusted to his care and that
Licensee's license should be summarily suspended.

Dated this 17 day of July, 2017.

Francie Miller, RN
Francie Miller
Nurse Program Specialist

Subscribed and sworn to before me

this 17 day of July, 2017.

Erin M. Matthias
Notary Public - South Dakota
My commission expires: 01/08/2020

